

IN THE CIRCUIT COURT FOR Baltimore City

(City or County)

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: ☒ PLAINTIFF ☐ DEFENDANT CASE NUMBER _____

CASE NAME: Glynis P. Moore vs. John Smyth Calvert Mechanical Solutions
Plaintiff Defendant

PARTY'S NAME: Glynis P. Moore PHONE: 240-508-3067

PARTY'S ADDRESS: 4305 Powell Avenue, Baltimore, MD 21206

PARTY'S E-MAIL: glynis_moore@yahoo.com

If represented by an attorney:
 PARTY'S ATTORNEY'S NAME: _____ PHONE: _____
 PARTY'S ATTORNEY'S ADDRESS: _____
 PARTY'S ATTORNEY'S E-MAIL: _____

JURY DEMAND? ☐ Yes ☐ No

RELATED CASE PENDING? ☐ Yes ☐ No If yes, Case #(s), if known: _____

ANTICIPATED LENGTH OF TRIAL?: 6 hours 1 days

PLEADING TYPE

New Case: ☒ Original ☐ Administrative Appeal ☐ Appeal
 Existing Case: ☐ Post-Judgment ☐ Amendment
 If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS	<input type="checkbox"/> Government	PUBLIC LAW	<input type="checkbox"/> Constructive Trust
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Insurance	<input type="checkbox"/> Attorney Grievance	<input type="checkbox"/> Contempt
<input type="checkbox"/> Assault and Battery	<input type="checkbox"/> Product Liability	<input type="checkbox"/> Bond Forfeiture Remission	<input type="checkbox"/> Deposition Notice
<input type="checkbox"/> Business and Commercial	PROPERTY	<input type="checkbox"/> Civil Rights	<input type="checkbox"/> Dist Ct Mtn Appeal
<input type="checkbox"/> Conspiracy	<input type="checkbox"/> Adverse Possession	<input type="checkbox"/> County/Mncpl Code/Ord	<input type="checkbox"/> Financial
<input type="checkbox"/> Conversion	<input type="checkbox"/> Breach of Lease	<input type="checkbox"/> Election Law	<input type="checkbox"/> Grand Jury/Petit Jury
<input type="checkbox"/> Defamation	<input type="checkbox"/> Detinue	<input type="checkbox"/> Eminent Domain/Condemn.	<input type="checkbox"/> Miscellaneous
<input type="checkbox"/> False Arrest/Imprisonment	<input type="checkbox"/> Distress/Distrain	<input type="checkbox"/> Environment	<input type="checkbox"/> Perpetuate Testimony/Evidence
<input type="checkbox"/> Fraud	<input type="checkbox"/> Ejectment	<input type="checkbox"/> Error Coram Nobis	<input type="checkbox"/> Prod. of Documents Req.
<input type="checkbox"/> Lead Paint - DOB of	<input type="checkbox"/> Forcible Entry/Detainer	<input type="checkbox"/> Habeas Corpus	<input type="checkbox"/> Receivership
<input type="checkbox"/> Youngest Plt: _____	<input type="checkbox"/> Foreclosure	<input type="checkbox"/> Mandamus	<input type="checkbox"/> Sentence Transfer
<input type="checkbox"/> Loss of Consortium	<input type="checkbox"/> Commercial	<input type="checkbox"/> Prisoner Rights	<input type="checkbox"/> Set Aside Deed
<input type="checkbox"/> Malicious Prosecution	<input type="checkbox"/> Residential	<input type="checkbox"/> Public Info. Act Records	<input type="checkbox"/> Special Adm. - Atty
<input type="checkbox"/> Malpractice-Medical	<input type="checkbox"/> Currency or Vehicle	<input type="checkbox"/> Quarantine/Isolation	<input type="checkbox"/> Subpoena Issue/Quash
<input type="checkbox"/> Malpractice-Professional	<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Writ of Certiorari	<input type="checkbox"/> Trust Established
<input type="checkbox"/> Misrepresentation	<input type="checkbox"/> Land Installments		<input type="checkbox"/> Trustee Substitution/Removal
<input type="checkbox"/> Motor Tort	<input type="checkbox"/> Lien	EMPLOYMENT	<input type="checkbox"/> Witness Appearance-Compel
<input type="checkbox"/> Negligence	<input type="checkbox"/> Mortgage	<input type="checkbox"/> ADA	PEACE ORDER
<input type="checkbox"/> Nuisance	<input type="checkbox"/> Right of Redemption	<input type="checkbox"/> Conspiracy	<input type="checkbox"/> Peace Order
<input type="checkbox"/> Premises Liability	<input type="checkbox"/> Statement Condo	<input checked="" type="checkbox"/> EEO/HR	EQUITY
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Forfeiture of Property /	<input type="checkbox"/> FLA	<input type="checkbox"/> Declaratory Judgment
<input type="checkbox"/> Specific Performance	<input type="checkbox"/> Personal Item	<input type="checkbox"/> FMLA	<input type="checkbox"/> Equitable Relief
<input type="checkbox"/> Toxic Tort	<input type="checkbox"/> Fraudulent Conveyance	<input type="checkbox"/> Workers' Compensation	<input type="checkbox"/> Injunctive Relief
<input type="checkbox"/> Trespass	<input type="checkbox"/> Landlord-Tenant	<input type="checkbox"/> Wrongful Termination	<input type="checkbox"/> Mandamus
<input type="checkbox"/> Wrongful Death	<input type="checkbox"/> Lis Pendens	INDEPENDENT	OTHER
CONTRACT	<input type="checkbox"/> Mechanic's Lien	PROCEEDINGS	<input type="checkbox"/> Accounting
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Ownership	<input type="checkbox"/> Assumption of Jurisdiction	<input type="checkbox"/> Friendly Suit
<input type="checkbox"/> Breach	<input type="checkbox"/> Partition/Sale in Lieu	<input type="checkbox"/> Authorized Sale	<input type="checkbox"/> Grantor in Possession
<input type="checkbox"/> Business and Commercial	<input type="checkbox"/> Quiet Title	<input type="checkbox"/> Attorney Appointment	<input type="checkbox"/> Maryland Insurance Administration
<input type="checkbox"/> Confessed Judgment	<input type="checkbox"/> Rent Escrow	<input type="checkbox"/> Body Attachment Issuance	<input type="checkbox"/> Miscellaneous
(Cont'd)	<input type="checkbox"/> Return of Seized Property	<input type="checkbox"/> Commission Issuance	<input type="checkbox"/> Specific Transaction
<input type="checkbox"/> Construction	<input type="checkbox"/> Right of Redemption		<input type="checkbox"/> Structured Settlements
<input type="checkbox"/> Debt	<input type="checkbox"/> Tenant Holding Over		
<input type="checkbox"/> Fraud			

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|----------------------------------------------------------|-------------------------------------------------|------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Arbitration | <input type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Cease & Desist Order | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input type="checkbox"/> Contempt | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |
| <input checked="" type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment | |

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

☐ Liability is conceded. ☐ Liability is not conceded, but is not seriously in dispute. ☐ Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

☐ Under \$10,000 ☐ \$10,000 - \$30,000 ☒ \$30,000 - \$100,000 ☐ Over \$100,000

☐ Medical Bills \$ _____ ☒ Wage Loss \$ 117,000.00 ☐ Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation ☐ Yes ☐ No C. Settlement Conference ☒ Yes ☐ No
B. Arbitration ☐ Yes ☐ No D. Neutral Evaluation ☐ Yes ☐ No

SPECIAL REQUIREMENTS

- ☐ If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041
- ☐ If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

ESTIMATED LENGTH OF TRIAL

With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.

(Case will be tracked accordingly)

- ☐ 1/2 day of trial or less ☐ 3 days of trial time
☒ 1 day of trial time ☐ More than 3 days of trial time
☐ 2 days of trial time

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

- ☒ Expedited- Trial within 7 months of Defendant's response ☐ Standard - Trial within 18 months of Defendant's response

EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.

- ☐ Expedited - Trial within 7 months of Defendant's response ☐ Standard - Trial within 18 months of Defendant's response

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- ☒ Expedited Trial 60 to 120 days from notice. Non-jury matters.
☒ Civil-Short Trial 210 days from first answer.
☐ Civil-Standard Trial 360 days from first answer.
☐ Custom Scheduling order entered by individual judge.
☐ Asbestos Special scheduling order.
☐ Lead Paint Fill in: Birth Date of youngest plaintiff.....
☐ Tax Sale Foreclosures Special scheduling order.
☐ Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- ☐ Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
☒ Standard (Trial Date-240 days) Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
☐ Extended Standard (Trial Date-345 days) Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
☐ Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

August 2, 2021

Date

4305 Powell Avenue

Address

Baltimore

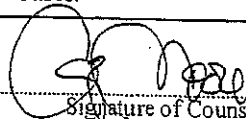
City

MD

State

21206

Zip Code



Signature of Counsel / Party

Glynis P. Moore

Printed Name

Complaint

Monday, July 19, 2021

John Smyth
Chief Executive Officer/Owner
Calvert Mechanical Solutions
Mylander Lane, Towson, Maryland 21286

Mr. Smyth,

As you are well aware, I was unceremoniously dismissed from employment from your company on June 9, 2020 as the solitary HR Coordinator and Payroll Specialist. I worked for your company for almost a year without taking off work, calling in sick and was an exemplary employee by your own written, admission.

You called the entire administrative staff into your office in April 2020 to celebrate the fact that you were granted the COVID-19 PPP Loan from the Federal Government and informed us that you were successful in saving all of our jobs. However, during the period the PPP Loan was in effect at Calvert Mechanical, you forced me to use my PTO hours to cover every Fridays' hours during that 8-week period and ended the PPP payroll disbursement early because of bickering among the dispatch staff. That is a fraudulent violation of the PPP Loan and the Wage and Hour Statutes of the State of Maryland. After you had collected the multi-million, dollar loan, you dismissed me, the only Black employee of the Administration Team without just cause. I was the only Black employee you've ever had working in your office since you founded it in 1986 and was the only employee terminated once you receive the millions from the PPP Loan.

As a direct result of you terminating my employment at Calvert, I suffered emotionally and psychological which resulted in an increase in the dosage of my anti-depressants; I suffered severe anxiety and depression as a result of my termination from Calvert Mechanical Solutions. I suffered a tremendous financial setback because of my unemployment; distress because of a newly acquired mortgage; a mortgage that was brought about because my fiancé and I bought a house in Cedmont Maryland to be closer to work at Calvert Mechanical Solutions; we moved from the West Side of Baltimore to 2 exists from Calvert Mechanical Solutions.

Our wedding had to be canceled as a result of my unemployment; my employment at Calvert Mechanical Solutions was the sole financial vehicle that was paying for my wedding. Also, I spoke with Anne Marie Willis regarding me retiring from Calvert Mechanical Solutions when I turned 65 years of age; Annie Marie and I spoke about this in May, 2020 about this matter. After my termination, I was no longer eligible for the 401K or retirement account because of my separation from employment; I never had the opportunity to join the 401K program at Calvert.

Glynis Moore
4305 Powell Avenue * Baltimore, Maryland 21206
240-508-3067

As you well know, the EEOC has given me the right to sue you, John. I would like to suggest the alternative and for you to resolve this matter out of court. A fair settlement would be three years wages totaling \$117,000; that will include any punitive damages incurred as a direct result of my termination and no further action will be sought. If you have any suggestions on how to resolve this matter, please do so in a timely manner.

However, if I do not have an affirmative settlement from you within 7 business days from the date of this letter, I will have no other alternative than to contact the media, the PPP Loan Fraud Division and the 4th Year Apprentices that were terminated wrongfully to be replaced by all Black workers in an effort for you to not appear "a racist", in a class action suit.

I know we can come to an amicable agreement; you've always "seemed" like a reasonable, fair person. If I do not have a monetary settlement in my hand on COB on Monday, July 26, 2021, I will move forward in Federal Court against Calvert Mechanical Solutions in a very public, media driven manner.

Regards,



Glynis Moore
4305 Powell Avenue * Baltimore, Maryland 21206
240-508-3067

Complaint

Monday, August 2, 2021

CIRCUIT COURT FOR BALTIMORE CITY
111 North Calvert Street, Room 412
Baltimore, Maryland 21202

2021 AUG -2 PM 2:50

Your Honor,

John Smyth, (the owner and president of Calvert Mechanical Solutions aka Calvert Heating and Cooling), applied for and was granted a PPP Loan due to the Covid-19 Pandemic. He made the me and all other employees of the company use our PTO time during the 8-week period that was to cover our wages from the PPP loan. After the 8-week period had ended, he terminated my employment; I was the only Black employee he had on the administrative staff; I have been the ONLY Black employee he's ever had on the administrative staff since the company's inception in 1986. I was the only employee terminated; I was let go because he claimed he had to "downsize" due to COVID after he was granted the loan to pay for my wages.

I was unceremoniously dismissed from employment from Calvert Mechanical Solutions, 8801 Mylander Lane 21286, on June 9, 2020 as the solitary HR Coordinator and Payroll Specialist. I worked for this company for almost a year.

The entire administrative staff into the office of John Smyth in April 2020 to celebrate the fact that he was granted the COVID-19 PPP Loan from the Federal Government and informed us that he was successful in saving all of our jobs. However, during the period the PPP Loan was in effect at Calvert Mechanical, John Smyth forced me to use my PTO hours to cover every Fridays' hours during that 8-week period and ended the PPP payroll disbursement early because of bickering among the dispatch staff. That is a fraudulent violation of the PPP Loan and the Wage and Hour Statues of the State of Maryland. After Mr. Smyth had collected the multi-million, dollar loan, he dismissed me, the only Black

Glynis Moore
4305 Powell Avenue * Baltimore, Maryland 21206
240-508-3067

employee of the Administration Team without just cause. I was the only Black employee you've ever had working at the Calvert Mechanical office since John Smyth founded it in 1986 and was the only employee terminated once Mr. Smyth received the millions from the PPP Loan. I am well qualified for the position and there was no reason for my termination.

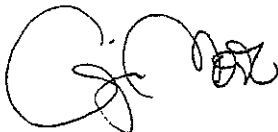
As a direct result of terminating my employment at Calvert, I suffered emotionally and psychologically which resulted in an increase in the dosage of my anti-depressants; I suffered severe anxiety and depression as a result of my termination from Calvert Mechanical Solutions. I suffered a tremendous financial setback because of my unemployment; distress because of a newly acquired mortgage; a mortgage that was brought about because my fiancé and I bought a house in Cedmont Maryland to be closer to work at Calvert Mechanical Solutions; we moved from the West Side of Baltimore to 2 exits from Calvert.

After my termination, I filed with the EEOC on January 28, 2021 and was granted the right to sue John Smyth and the Calvert Mechanical Solutions company. After Mr. Smyth received notification that I was granted the right to sue him in May of 2021, John Smyth quickly terminated his Caucasian, Fourth Year Apprentices by the names of Tim Wiley, David Muriithi and Richard Souza, whom were well qualified for their position and hired all new African American men in a last-ditched effort not to appear racist in his hiring and termination practices.

I wrote to Mr. Smyth on July 19, 2021 (see attached) and offered to meet with him to work out an amicable resolution/settlement out of court (in the amount of \$117,000 which is equivalent to 3 years wages) to this case but my request went ignored; Mr. Smyth did not respond via email, fax, written letter or text message and to date I have not heard from John Smyth or anyone from the Calvert Mechanical Solutions team regarding this matter.

I am asking the court to intervene to assist me in coming to a reasonable settlement between me, Glynis P. Moore and John Smyth of the Calvert Mechanical Solutions company.

Thank you for your time,



Glynis Moore

4305 Powell Avenue * Baltimore, Maryland 21206
240-508-3067



Calvert
MECHANICAL SOLUTIONS
EST. 1981

June 9, 2020

TO WHOM IT MAY CONCERN:

RE: Glynis Moore
Letter of Recommendation

It is my sincere pleasure to write this letter of recommendation highly recommending Ms. Glynis Moore for a position with your organization.

Ms. Moore came to us from Mary Kraft Associates as a temp-to-hire in the position Assistant to the Controller for Calvert. She began her assignment with Calvert on September 16, 2019 and was hired as a permanent employee on December 16, 2020. Were it not for the COVID crisis reducing our company's workload, Glynis would still be an employee of Calvert.

Glynis specifically worked on payroll entry and processing, making bank deposits, making monthly vehicle payments, posting credit card payments, handling health insurance applications and other human resources duties. She maintained the attendance calendars for all employees. Glynis also worked in the area of accounts payables, managing and posting company credit card purchase among other things.

Her quiet but always pleasant personality was a bright light here at Calvert and her attendance was exemplary. She will be missed.

Please feel free to reach out if you have need of any further information.

John C. Smyth, President

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 531-2021-00465	
MARYLAND COMMISSION ON CIVIL RIGHTS and EEOC <i>State or local Agency, if any</i>			
Name (Indicate Mr., Ms., Mrs.) MS. GLYNIS MOORE		Home Phone (240) 508-3067 Year of Birth	
Street Address 4305 POWELL AVENUE, BALTIMORE, MD 21206		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CALVERT MECHANICAL SOLUTIONS		No. Employees, Members 15 - 100 Phone No. (410) 323-5400	
Street Address 8801 MYLANDER LANE, TOWSON, MD 21286		City, State and ZIP Code	
Name		No. Employees, Members Phone No.	
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 06-09-2020 06-09-2020 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). I began my employment with the above referenced employer in August 2019, as a Payroll/Human Resources Coordinator. I have performed my duties without negative evaluations. Respondent treated me differently to my white coworkers. On June 9, 2020, Mr. John Smyth, Owner discharged me without a cause, citing downsize of business as a result of Covid-19 for my discharge. Mr. Smyth previously informed all employees that he had received the Government grant Personnel Protective Plan (PPP), and stated therefore no employee will be lay off or discharge. Nonetheless I was discharged. Similarly situated coworkers Ms. Sandi Beck, Bonny Christhills and Lexi (LNU), all white were retained. Respondent reason for my discharge was erroneous. I believe I have been discriminated against because of my race (Black), in violation of Title VII of the Civil Rights Act of 1964 as amended, with respect to discharge.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. Digitally signed by Glynis Moore on 01-28-2021 12:29 PM EST		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, Charge of Discrimination (11/09).

2. AUTHORITY. 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. PRINCIPAL PURPOSES. The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. ROUTINE USES. This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION. Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an

investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Baltimore Field Office

George H. Fallon Federal Building
31 Hopkins Plaza, Suite 1432
Baltimore, MD 21201
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
Baltimore Direct Dial: (410) 801-6685
FAX (410) 209-2221
FAX (410) 952-4270
Website: www.eeoc.gov

Glynis Moore
4305 Powell Avenue
Baltimore, MD 21206

May 11, 2021

Re: EEOC Charge No.: 531-2021-00465 Moore v. CALVERT MECHANICAL SOLUTIONS

Dear Ms. Moore:

This letter is sent to you in reference to your correspondence and subsequent communication with this office in which you alleged employment discrimination in violation of Title VII by the above-named Respondent.

In your charge, you allege that Respondent retaliated against you when on June 9, 2020, Mr. John Smyth, Owner discharged you without a cause, citing downsize of business as a result of Covid-19 for the discharge. You claimed that Mr. Smyth previously informed all employees that he had received the Government grant Personnel Protective Plan (PPP), and stated therefore no employee will be lay off or discharge. Nonetheless you were discharged. You claimed similarly situated coworkers Ms. Sandi Beck, Bonny Christhills and Lexi (LNU), all white were retained.

Respondent denied all allegations and asserts that you had performance issues, you failed to complete construction payroll satisfactorily and was unable to input the payroll data in an expected manner. Ms. Anne Marie Willis, Controller, attempted many times to verbally instruct you on how to input the data correctly. However, you never was able to exhibit the necessary payroll skills to properly perform your duties despite all requests for you to do so. Ms. Willis had to correct your errors herself which roughly amounted to 6 to 15 errors each week. This became a significant time-consuming burden for Ms. Willis that directed her away from her other responsibilities. You failed to provide Respondent responses to unemployment claims filed against the organization, and also failed to add employees to Respondent's insurance policies. You failed to send out health insurance forms to employees who were otherwise eligible for health insurance coverage as a result of their employment.

To date, I have been unable to reach you twice by phone at (240) 508-3067 on May 11, 2021. The purpose of the call was to advise you of my final recommendation that the evidence provided to the Commission, does not support a violation of the statute(s). This does not certify that Respondent is in compliance with the statutes. While we fully understand that the parties to a charge often have very firm views that the available evidence supports their respective positions, our final determinations must comport with our interpretations of the available evidence at the time a final decision is made.

Although a recommendation has now been made, the final authority as to a determination rests with the District Director or her designees. If after reviewing, the District Director concurs with the

recommendation, you will receive a Dismissal letter and a Right to Sue Notice from our office. The suit rights will give you the ability to further pursue your claim in court.

Sincerely,

Victor B. Owolabi
Investigator

EEOC Form 161 (11/2020)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Glynis Moore**
4305 Powell Avenue
Baltimore, MD 21206

From: **Baltimore Field Office**
G.H. Fallon Federal Building
31 Hopkins Plaza, Suite 1432
Baltimore, MD 21201

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

531-2021-00465

Victor Owolabi,
Investigator

(410) 801-6719

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.

☒

The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

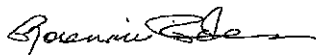
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



5/11/2021

Enclosures(s)

Rosemarie Rhodes,
Director

(Date Issued)

cc:

John C. Smyth
Owner
CALVERT MECHANICAL SOLUTIONS
8801 MYLANDER LN
Towson, MD 21286

Enclosure with EEOC
Form 161 (11/2020)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope or record of receipt, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was issued to you (as indicated where the Notice is signed) or the date of the postmark or record of receipt, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

Enclosures(s)

cc: